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09/183,282	10/30/98	SHAH-NAZAROFF	A 042390.P6489

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LAWRENCE M CHO
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
7TH FLOOR
LOS ANGELES CA 90025

EXAMINER

COLBERT, E

ART UNIT

PAPER NUMBER

2771

DATE MAILED:

08/29/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

TD

Office Action Summary

Application No.
09/183,282

Applicant(s)
Shah-Nazaroff

Examiner
Ella Colbert

Group Art Unit
2771



☒ Responsive to communication(s) filed on Jun 6, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-27 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-27 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Response to Amendments

1. Claims 1-27 are presented for examination in this Office Action in response to Amendment A, paper no. 4 on 06 June 2000.
2. The prior Office Action is included by reference.
3. Those applicable sections of Title 35 Of United States Code not present herein were presented in an earlier Office Action.
4. Applicants' arguments have been fully considered by the Examiner.

Response to Arguments

5. In Applicants' response, Applicants' argue: on page 12: a) "taken in context with the rest of the specification, this section (column 9, lines 33-50) does not suggest presenting a selectable identifier corresponding to data in the obtained record corresponding to a selected entertainment selection," b) "there is not search suggested or taught in Youman that can be performed from the Figure 21 screen by selecting an identifier corresponding to the movie "Oscar;" on page 13: c) "Applicants' are unable to find any mention of presenting the results of any search in section (column 10, lines 50-57);" on page 14: d) "Youman provides no teaching or suggestion to perform a search for a second selection when a selectable identifier corresponding to a first selection is selected;" on page 15: e) "Cohen does not suggest an EPG;" and on page 16: f) "there is no suggested way for a user to access data about a second entertainment selection based on information on a first entertainment selection.

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Response to Arguments

6. As to a) -f) above, in this rejection of claim 1 and others, for example under Section 103 (a) of Title 35 of the United States Code, the Examiner carefully drew up a correspondence between the Applicants' claimed limitations and one or more referenced passages in Youman and Cohen. The Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the Specification (see below):

2111 Claim Interpretation; Broadest Reasonable Interpretation [R-1]

>CLAIMS MUST BE GIVEN THEIR BROADEST REASONABLE INTERPRETATION

During patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).<

In this instance, Youman's "presenting a selectable identifier corresponding to data in the record corresponding to a selected entertainment selection" is interpreted by the Examiner as being taught in column 13, lines 34-57. As to b) above, Youman does not clearly show the search being performed from the figure 21 screen by the selection of an identifier corresponding to the movie "Oscar," but Youman does teach in column 17, lines 5-27 the ability to search the database record containing a content specific identifier with the content displayed in a Category listing. The user can highlight any one of the categories and a display of all of the movies and the times will be shown alphabetically. The user can chose which movies by a certain actor/actress and the time of viewing. As to c) above, Youman's mention of presenting the results of any search is not found in column 10, lines 50-57 but is interpreted by the Examiner as being in column 12, lines

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11-23. As to d) above, Youman does not explicitly teach "performing a search for a second selection when a selectable identifier corresponding to a first selection is selected," however, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement the performance of a search for a second selection corresponding to the first selection (as taught in the background section, columns 1-5), because a user can choose which movies, the actor/actress, and the time to have the second selection by the same actor/actress displayed. A user can display program schedule information for any chosen one of a plurality of television programs in an overlaying relationship with at least one television program appearing on any one of the chosen plurality of channels on the television. As to e) above, Cohen's EPG is the use of channels selected on a TV with the database receiver displaying a menu on a display screen showing different categories which can be selected by a user. As to f) above, Cohen does not explicitly teach a way for a user to access data about a second entertainment selection based on information on a first entertainment selection, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a way for a user to access data about a second entertainment selection based on the first entertainment selection because a flexible program schedule system allows a user to access and to select programs based on entertainment selections.

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Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-10 and 16-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Youman et al (US 5,629,733), hereafter Youman.

With respect to claims 1 and 6, obtaining a record corresponding to a first entertainment selection (**column 4, lines 49-58**), presenting a selectable identifier corresponding to a first set of entertainment system data in the obtained record on a display device (**column 13, lines 34-57**), performing a search for a second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data ... (**column 10, lines 33-50**), and presenting a result of the search on the display device (**column 12, lines 11-23**). Youman does not explicitly teach “performing a search for a second selection when a selectable identifier corresponding to a first selection is selected,” however, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement the performance of a search for a second selection corresponding to the first selection (as taught in the background section, column 1-5), because a user can choose which movies, the actor/actress, and the time to have the second selection by the same actor/actress displayed. A user can display

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program schedule information for any chosen of a plurality of television programs in an overlaying relationship with at least television program appearing on any one of the chosen plurality of channels on the television.

With respect to claims 2 and 7, obtaining a record comprises referencing ... the first entertainment selection in a database” (**column 8, lines 14-26**).

With respect to claims 3 and 8, presenting the selectable identifier comprises generating an distinguishable identifier ... (**column 9, lines 4-44 and column 15, lines 51-67**).

With respect to claims 4 and 9, performing the search comprising searching a database for the entertainment system data related to the first set of entertainment system data (**column 17, lines 5-27**).

With respect to claims 5 and 10, presenting the result of the search comprises displaying the result of the search in a synopsis box on the display device (**column 17, lines 66-67, column 18, lines 1-32, and figure 21**).

With respect to claims 16 and 20, Youman did not explicitly teach, a search of the records of an entertainment system is data received from different sources, however, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the search of records of an entertainment system to be data received from different sources because in an entertainment programming system a search is performed on the program schedule in the database and the information is supplied to the video generator to convert the digital data into a RGB format and to supply it to the video overlay device.

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With respect to claims 17 and 21, entertainment selections are selected from a group comprising programs, music selections, software applications, files and Internet broadcasts (column 10, lines 36-44), (column 9, lines 7- 17), and (column 17, lines 9-15).

With respect to claims 18 and 22 recites a computer -readable medium with limitations similar to those recited in claim 1; therefore, the same rejection is applied.

With respect to claims 19 and 23, recites a computer -readable medium with limitations similar to those recited in claim 1; therefore, the same rejection is applied.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 11-15 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (US 5,999,934), hereafter Cohen.

With respect to claim 11, a data parser that formats entertainment system data ... (column 7, lines 7-14), a data engine, coupled to the data parser, that stores the entertainment system data into a database ... (column 22, lines 46-67), and a query interface, coupled to the database configuring a graphical user interface (GUI) with an identifier corresponding to the first set of entertainment system data of a first entertainment selection, the identifier is selectable to display a

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second entertainment selection having a corresponding second set of entertainment system data related to the first set of entertainment system data (**column 10, lines 46-67 and column 1-17**).

Cohen did not explicitly teach a query interface, a data engine, or a graphical user interface, but it would have been obvious to a person of ordinary skill in the art of entertainment systems at the time the invention was made to have a query interface, data engine, and a graphical user interface because in an entertainment system structure these interfaces and a data engine are used to perform the tasks of communicating with the computer by manipulating windows using a mouse or a remote control device and storing data in a displayable data store (**column 12, lines 62-67**).

With respect to claims 12 and 14, a user interface unit that receives an identity of the identifier selected (**column 14, lines 52-59**), a database interface unit coupled to the user interface for searching the database for the second entertainment selection having the corresponding second set of entertainment system data related to the first set of entertainment system data (**column 12, lines 31-41 and column 4, lines 3-26 and lines 57-63**), and a synopsis box building unit coupled to the database interface unit, for displaying the identity of the second entertainment selection ... (**column 10, lines 20-45**). Cohen did not teach a “synopsis box building unit,” but it would have been obvious to a person of ordinary skill in the art of entertainment systems at the time the invention was made to have a synopsis box and to display an entertainment selection because the formatting of the displayed record with information about the selection maximizes the volume of data to be displayed and improves the efficiency of the system.

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With respect to claim 13, a bus (**column 6, lines 5-10**), a processor coupled to the bus (**column 6, lines 13-18**), a system control agent coupled to the bus including a data parser for formatting entertainment system ..., a data engine for storing the entertainment system data into a database ..., a query interface for configuring a graphical user interface (GUI) having an identifier corresponding to a first set of entertainment system data ..., the identifier is selectable to display a second entertainment selection having a corresponding second set of entertainment system data ... (**column 7, lines 7-14, column 22, lines 46-47, column 10, lines 46-67, and column 11, lines 1-17**). Cohen did not explicitly teach a query interface, a data engine, or a graphical user interface, but it would have been obvious to a person of ordinary skill in the art of entertainment systems at the time the invention was made to have a query interface, data engine, and a graphical user interface because in an entertainment system structure these interfaces and a data engine are used to perform the tasks of communicating with the computer by manipulating windows using a mouse or a remote control device and storing data in a displayable data store (**column 12, lines 62-67**).

With respect to claim 15, an identifier corresponding to a first set of entertainment system data of a first entertainment selection that is selectable to generate a synopsis box displaying a second entertainment selection with a second set of entertainment system data related to the first set of entertainment system data” (**column 9, lines 12-41, column 10, lines 28-67, column 11, lines 1-2, and column 6, lines 13-18**).

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With respect to claim 24, Cohen did not explicitly teach, the entertainment system data received from different sources, however, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to implement entertainment system data being received from different sources (as taught in the disclosure of the invention, section, columns 1-3), because the term "data" can be interpreted broadly to include all forms of information, whether it is to be output as text, graphics, video, or audio and whether the data is for purposes of presentation to a user or whether the data has a functional purpose or a computational purpose e.g. forms part of a system header or a system programme component.

With respect to claim 25, the database interface unit searches the database according to the instructions it retrieves from storage with the first entertainment system data (**column 6, lines 27-50**).

With respect to claim 26, comprising non-selectable text according to entertainment system data of the first entertainment selection (**column 7, lines 20-34**).

With respect to claim 27, the selectable identifier is presented ... distinguishable from non-selectable text (**column 10, lines 46-67 and column 11, lines 1-2 and lines 42-48**).

Conclusion

11. The prior art made of record and not relied upon is considered relevant to applicant's disclosure.

White et al (6,005,563) taught a Web TV system with parsing HTML and audio functions.

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Anderson et al (6,005,631) taught an electronic program guide (EPG) and searching the EPG data.

Watts et al (5,671,411) taught searching an audio/visual programming database and a synopsis box (figure 4).

Trumbull et al (5,795,228) taught an entertainment system with a database and a user interface.

Schein et al (6,002,394) taught a program guide, a database, a remote control, a mouse, and a synopsis box (figure 18E).

Alten et al (5,781,246) taught a program guide and a synopsis box (figure 21).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is (703)308-7064. The examiner can normally be reached Monday through Thursday from 6:30 a.m. to 5:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703)305-9707.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703)308-9051, (for formal communications intended for entry).

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Or:

(703)305-9731 (for informal or draft communications, please label

“PROPOSED” or “DRAFT”).

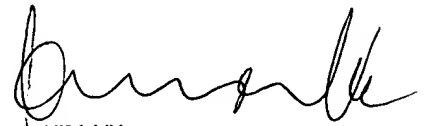
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, Virginia., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (703)308-9600.

E.C.

August 28, 2000



KIM VU

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2700